STATE OF NEW YORK
CITY COURT COUNTY OF MONROE

THE PEOPLE OF THE STATE OF NEW YORK

vs

DEMAND FOR DISCOVERY

SUSAN DAVID,

Defendant.

PLEASE TAKE NOTICE, that pursuant to Criminal Procedure Law §240.20, the above named Defendant, hereby demands that the prosecution disclose to the Defendant, and make available for inspection, photographing, copying or testing the following property:

A. Any written, recorded or oral statement of the Defendant and of a Co-Defendant to be tried jointly, made, other than in course of the criminal transaction to a public servant engaged in law enforcement activity or to a person then acting under his direction or in cooperation with him;

B. Any transcript of testimony relating to the criminal action or proceeding pending against the Defendant, given by the Defendant, or by a Co-Defendant to be tried jointly, before any grand jury;

C. Any written report or document, or portion thereof, concerning a physical or mental examination or scientific test or experiment, relating to the criminal action or proceeding which was made by, or at the request or direction of a public servant engaged

in law enforcement activity or which was made by a person whom the prosecutor intends to call as a witness at trial, or which the people intend to introduce at trial;

D. Any photograph or drawing relating to the criminal action or proceeding made or completed by a public servant engaged in law enforcement activity or which was made by a person whom the prosecutor intends to call as a witness at trial, or which the people intend to introduce at trial;

E. Any photograph, photocopy or other reproduction made by or at the direction of a police officer or prosecutor of any property prior to its release pursuant to the provisions of §450.10 of the penal law, irrespective of whether the people intend to introduce at trial the property or the photographs, photocopy or other reproduction;

F. Any other property obtained from the Defendant or a Co-Defendant to be tried jointly;

G. Any tapes or other electronic recordings which the prosecutor intends to introduce at trial irrespective of whether such recording was made during the course of the criminal transaction;

H. Anything required to be disclosed, prior to trial, to the Defendant by the prosecutor, pursuant to the constitution of this state or of the United States.

I. The approximate date, time and place of the offense charged and of Defendant's arrest.

J. In any prosecution under penal law §156.05 or 156.10, the time, place and manner of notice given pursuant to subdivision six of §156.00 of such law.

K. The names and addresses of all witnesses who will be called by the People at the trial of this matter. People v. Robinson, 75 Misc.2d 477; People v. Harrison, 81 Misc.2d 144; People v. Minor, 118 Misc.2d 452.

PLEASE TAKE FURTHER NOTICE that, pursuant to CPL §240.35 and 240.80(2), any refusal by the district attorney to disclose information upon the grounds that it is believed not discoverable by this demand or that a protective order would be warranted must be made and served upon defense counsel within fifteen (15) days of the service of this demand, must be in writing, and must set forth the grounds of such belief as fully as possible.

PLEASE TAKE FURTHER NOTICE that, pursuant to CPL §240.80(3), absent a refusal by the district attorney to comply with this demand, compliance with this demand must be made within fifteen (15) days of the service of this demand.

Dated: July 18, 1989
Rochester, New York 14614

Yours, etc.,

SHARON KELLY SAYERS, ESQ.
30 West Broad Street-Suite 100
Rochester, New York 14614

TO: HOWARD R. RELIN
Monroe County District Attorney

ANNE E. CHASE, ESQ.
Assistant District Attorney
201 Hall of Justice
Rochester, New York 14614